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REGULATIONS

OF THE ✓

AD6 BOARD OF HEALTH

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OF THE

CITY OF WASHINGTON;

WITH THE

RULES OF ORDER AND ORDER OF BUSINESS.

TO WHICH IS APPENDED

THE "ACT REGULATING THE APPOINTMENT, POWERS,
&c. OF THE BOARD OF HEALTH."

WASHINGTON:
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MAY 4 1962

**REGULATIONS
OF THE
BOARD OF HEALTH,**

INSTITUTED IN PURSUANCE OF THE ACT OF THE CORPORATION OF MAY 20, 1848.

With the view to carry into effect the provisions of the aforesaid act, and to obtain correct returns of the lists of Marriages, Births, and Deaths in the city of Washington, the Board of Health have instituted the following regulations, which they hope will be properly regarded, and as strictly conformed to as practicable.

That, from and after the promulgation of these regulations, all Clergymen be requested to furnish, on the first day of every month, to the Board of Health, returns of all persons married by them during the previous month, and that these returns be made by a certificate after the following form :

WASHINGTON, —, 18—.

I hereby certify that the following persons were married by me during the month of _____:

Rev. — — —

To the BOARD OF HEALTH.

That, from and after the promulgation of these regulations, all Physicians, Surgeons, and others who may be engaged in the practice of midwifery, be requested to make to the Board of Health, on the first day of every month, returns of the number of births which have oc-

curred in their practice during the preceding month, and that their returns be made by certificate of the following form :

WASHINGTON, ——, 18—.

I hereby certify that the following births have occurred in my practice during the month of —— :

Date.	Names of parents.	Nativity of parents.		Length of residence.		Sex.	No. of children.	Color.	Slaves.	Remarks.
		Male.	Female.	Male.	Female.					

— — — — — Accoucheur.

To the BOARD OF HEALTH.

That, from and after the promulgation of the regulations, no Sexton shall receive, or permit to be received, within the grave-yard under his care, a body for interment, without first having obtained a certificate, which must be in the following form, and signed by the attending physician, clergyman, member of the family, or some respectable person :

WASHINGTON, ——, 18—.

The undersigned hereby certifies that a — — — died on the — instant, on — street, in this city, named — — —, occupation — — —, a native of — — —, a resident of this city for — years, aged — years — months — days ; married — — —

Cause of death.	Duration.
Primary disease . . . — — —	— — — days.
Secondary disease . . . — — —	— — — days.
	— — —, M. D.
	— — —, Clergyman.
	— — —, &c.

Interred in — burial-ground, — — —, 18—.

— — —, Sexton.

Which certificate must be countersigned, and returned by the sexton, with the name of the burial-ground in which the body is interred, and the date of interment, on the first day of the succeeding month. A failure to conform to this regulation will subject the offender to the penalty provided by the law of the Corporation, which the Board of Health are determined to enforce.

To afford as great convenience as possible, the Board have had blank forms of these certificates prepared, which will be furnished to all persons applying therefor.

Blank forms of the certificates of death will be left with the Sextons of the several grave-yards, who will supply them to such as may require them.

Physicians, in giving certificates of deaths, will confer a favor upon the Board of Health, and contribute materially to the statistical information of our city, if they will observe, as far as practicable, the following rules or regulations, extracted from the proceedings of the National Medical Convention held in Philadelphia in May, 1847 :

1. Give causes of death the right names, and such as have the same meaning at all times and in all places.

2. Such names should be used as would give a clear definition of the cause of death.

3. A single word, or the least number of words possible, which would give this clear definition, should be preferred. Popular names may be used, but, where no popular name in a single word is found, a technical or scientific term should be preferred.

According to this rule, *consumption* would be preferred to *phthisis*; *croup* to *dynanche trachealis*; *pneumonia* to inflammation of the lungs; *enteritis* to inflammation of the internal membrane of the bowels, &c.

4. When more than one disease or cause have concurred in producing death, they may be written under each other without being connected with other words or particles, and in the order of their appearance.

5. State as nearly as can be known by numbers the duration of the disease or diseases, if more than one has concurred in producing the event, in years, months, or days.

6. In fatal cases of smallpox, measles, scarlatina, typhus, and the like diseases, state whether it was the second, third, &c. attack, wherein the patient has sustained more attacks than one. In ague, epilepsy, convulsive, and other diseases which occur in fits or paroxysms, date the illness from the first fit, and add the duration of the last fit. Thus : "Epilepsy, 5 years; last fit 6 hours."

7. Surgeons in all cases of operations should return the primary disease, the operation, the secondary disease, and should state also the time from the commencement of the primary disease, the time from the operation and the time from the appearance of secondary disease, reckoning in each instance to the death.

8. In external causes of death the nature of the injury and the circumstances of the death should be stated, and whether by accident or design.

The following are examples of such record : "Killed on railroad;" "shot accidentally," "suicide," "hanging," &c.

9. When poison has been the cause of death, the time which elapses between its administration and the death should be registered as far as possible. Examples :

Laudanum, (suicide)	.	.	.	.	8 hours.
Oxalic acid, (accidental)	.	.	.	.	20 minutes.
Arsenic, (murder)	.	.	.	.	30 hours.

10. The cause of the disease, when clearly known, may be inserted.
By order of the Board of Health.

TH. MILLER, M. D.
President of the Board of Health.

The Board of Health of the city of Washington declare the following to constitute

NUISANCES.

Dead carcasses, dead fish or offals of fish, heaps of oyster shells ; offals from butcher stalls, slaughter-houses, or tan-yards ; stagnant water in ponds, marshes, sewers, or cellars ; foul privies, hog-styles, and decayed vegetables of all descriptions, whether entire or those portions thereof not used as food which may be thrown out from kitchens ; horses going at large with the glanders, farcey, or other contagious diseases ; the drainage from dye houses and soap factories ; houses or buildings unoccupied and in a state of dilapidation or decay, endangering the lives or property of those in the vicinity.

The Commissioners of the several Wards will see to the enforcement of the foregoing regulations relative to nuisances, and to the exaction of the penalties prescribed by law.

All persons desirous of calling the attention of the Board to the existence of nuisances are requested to do so in writing, addressed to the members of the Board for the Ward in which such nuisance may exist, stating the nature of the same, with its location, &c.

By order of the Board.

TH. MILLER, M. D.
President of the Board of Health.

RULES OF ORDER.

1. The President shall take the chair and organize the Board at the hour to which it stands adjourned. The proceedings of the last meeting shall be read and approved; after which, no alteration of the journal shall be permitted, without the unanimous consent of the members present.
2. In the absence of the President, and there being a quorum of the members present, they shall choose by ballot, a President pro tempore, who shall act for that meeting only, and shall possess all the powers of President while presiding.
3. When any member is about to speak in debate, or to offer any matter to the Board, he shall rise and address himself to the President, and avoid personalities.
4. When two members rise at the same time, the President shall name the person to speak; but in all other cases, the member first rising shall speak first. No member shall speak more than twice to the same question without leave of the Board, nor speak more than once until every person choosing to speak shall have spoken.
5. Any member may call another to order, and the member called to order shall immediately take his seat, until the President shall decide whether he was in order or not; and every question of order shall be decided without debate; but any member may appeal from the decision of the President to the Board; and if the decision of the President be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, the Board shall determine upon the propriety of his proceeding with his observations in order.
6. When a question has been taken and carried in the affirmative, or negative, it shall be in order for any member of the majority to move for the reconsideration thereof: *Provided*, the motion for reconsideration be made on the day of action in any case, or on the day of the next regular meeting of the Board.
7. No new motion or proposition shall be admitted under color of amendment, as a substitute for the motion or proposition under debate.
8. The yeas and nays may be called at the request of one-fourth of the members present, and when called, every member shall vote, unless specially excused; but no member shall be at liberty to vote on any question, in the event of which he is in any manner interested.
9. When a motion is made and seconded, it shall be reduced to writing, if required by any member present, and read aloud, and stated by the President before any order be taken thereon. After a motion is stated or read by the President, the first question upon it shall be, "*Will the Board now proceed to consider the motion?*"

10. When a question is under debate, no motion shall be received except to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to commit or to amend; which several motions shall have precedence in the order they stand arranged. A motion to adjourn shall always be in order, and shall be taken without debate. Any member may call for a division of the question, where the sense will admit of it; but a question to strike out and insert, shall be invisible.

11. When the yeas and nays are called and entered on the journal, and when the question is carried in the affirmative, any member may enter on the journal his reasons for dissenting.

12. When a blank is to be filled, and different numbers or dates are proposed, the question shall be first taken on the highest number or longest date, and thence downwards.

13. All committees shall be appointed by the President of the Board, unless otherwise directed, the first named member shall be the chairman, and all reports shall be made in writing.

14. In balloting for Committees, a plurality of votes shall be sufficient to make a choice, but in all other cases a majority of the whole number of votes shall be required to decide.

15. All motions for amendment of the rules shall be submitted one day previous to final determination thereof, unless three-fourths of the members present shall assent that it shall be finally acted on the day on which it is submitted.

16. The Board may at any time suspend any of its rules by a majority of three-fourths of the members present.

17. The Secretary of the Board shall keep accurate minutes of the proceedings of each meeting of the Board, and give special notices to the members thereof of the time of its meetings. And he shall also keep a complete registry of the births, marriages, and deaths occurring in the city, and shall transmit to the Register quarterly, a list of the marriages.

ORDER OF BUSINESS.

Names of the members called, and attendance noted.

Reading of proceedings of the last meeting, and their amendment and adoption.

Excuses for former absence at meetings of the Board, and action thereon.

Deferred or unfinished business, and reports of Committees.

Resolutions and motions originating new business for the action of the Board.

A N A C T

Relating to the appointment, powers, and duties of the Board of Health.

Be it enacted by the Board of Aldermen and Board of Common Council of the city of Washington, That there shall, on or about the first of January in each year, be appointed by the Mayor, by and with the advice and consent of the Board of Aldermen, a Board of Health, to be composed of two citizens from each of the respective Wards of this city, one of whom from each Ward, shall, when practicable, be a physician.

SEC. 2. *And be it enacted,* That the Register of this Corporation shall, upon the appointment of such citizens, give written notice to each of that fact, and transmit to the President of the Board of Health, a list of the names of such persons.

SEC. 3 *And be it enacted,* That the members of said Board, so appointed, shall meet on the first Saturday in February of each year, at four o'clock, P. M., at its office, for the purpose of organizing the same and electing its officers, and shall have power to prescribe its own rules of order; and six members being present at any of its meetings shall constitute a quorum for the transaction of business. No person being a member of the City Councils, or any officer receiving pay from this Corporation, shall be a member of the Board of Health.

SEC. 4. *And be it enacted,* That full power is hereby vested in said Board to determine what constitute nuisances or causes of disease affecting the health of the city, or any part of it, and to interdict the same by proclamation from sale, use, or exposure, and to require, and, in case of refusal or failure, to cause the removal of any and all substances or accumulations which a majority of the Board may, from time to time, be satisfied are sources of disease, at the cost and expense of the person or persons who may allow any such to be deposited or otherwise to accumulate on, in front of, or in the rear of their premises, or pass from their enclosures into any avenue, street, or alley.

SEC. 5. *And be it enacted,* That all complaints or petitions for the removal of nuisances affecting the health of the inhabitants shall be presented to either member of the Board of Health for the Ward in which such nuisance may exist, who shall, on examination, and being satisfied of the existence of such nuisance, direct the Commissioner of the Ward, whose duty it shall be, to cause the removal of the same as speedily as practicable, by the owner or owners of the lots, or the agents of non-resident owners, after twenty-four hours' notice to said owner or owners of the lot, lots, or premises, or to their agents in the case of minor heirs or non-residents; and in cases where the lot or lots, or parts thereof, shall belong to non-residents who have no agents, or whose agents are unknown, or to a person or persons of unsound mind, or the title to which shall be in dispute, so that the true owner or owners cannot be notified, then it shall be the duty of the Commis-

sioner to have the same removed, and the expense thereof shall be paid out of the funds of the Ward, and assessed and collected as a tax on the property in the way and manner pointed out in the ninth section of this act.

SEC. 6. And be it enacted, That any member of said Board is hereby authorized, in ascertaining the facts relative to such complaints, to visit the premises complained of; and any person refusing to permit or obstructing such examination for the purpose aforesaid, or who shall, upon notice from said Board, or any member thereof, through the Ward Commissioner, refuse or neglect to remove such nuisance, shall, in the first case, be subjected to a fine of not more than ten dollars, and in the latter to a penalty of not more than twenty dollars, for every day such nuisance is allowed to exist.

SEC. 7. And be it enacted, That said Board is hereby authorized to prescribe such regulations as will secure a complete registry of the births, marriages, and deaths; and in the latter case the names, ages, sex, and color, and place of nativity, and the disease, or any other cause thereof; that the Intendant of the Asylum, and all sextons of burial-grounds within the limits of this Corporation, are required to conform to such regulations relative thereto as may be adopted by said Board, under a penalty for failure thereof of not less than two dollars nor more than ten dollars in each case; and the Board of Health are hereby required to transmit to the Register quarterly a list of the marriages.

SEC. 8. And be it enacted, That, from and after the passage of this act, the owner or owners of every domestic animal at large within the limits of this city, having infectious or contagious disease, or which may be found dead in any of the avenues, streets, alleys, enclosed lots, or on any open, unenclosed ground within the jurisdiction of this Corporation, shall, in the first case, be obliged to secure or destroy, as may be deemed best, any such animal, and, in the second case, shall bury such animal at least two feet below the surface of the earth; and if such owner or owners do not remove and dispose of such animal in manner aforesaid within twelve hours after being notified thereof by the Commissioner of the Ward, he, she, or they shall incur a penalty of not less than five nor more than twenty dollars; and it shall be the duty of the said Commissioner, if the owner or owners shall not remove the said animal or animals within the time specified, (or if no owner of such animal can be found,) forthwith to remove said nuisance, and the expense thereof shall be paid out of any money to the credit of the general fund.

SEC. 9. And be it enacted, That where any lot or part of lot within this Corporation is or shall be so situated as to be below the graduation of the street or avenue on which the same may front, and which shall retain water on the surface thereof, calculated, in the opinion of the Board of Health, or the members of the Board for the Ward in which such lot or part of a lot may be, to affect injuriously the health of the inhabitants, or to injure or endanger the property in the neigh-

borhood, it shall be the duty of the Commissioner of the Ward in which such lot or part of a lot may be situated, upon the representation of a citizen within said Ward, to call immediately upon the Board of Health, or upon the members thereof for said Ward, and obtain their opinion in writing as to the effects thereof; and if said opinion shall state that the water on said lot or lots, or any part of said lot or lots, will be injurious as aforesaid, it shall be the duty of the Commissioner forthwith to notify the owner or occupier, if he, she, or they be resident within this city, thereof, with directions to proceed within three days thereafter, to remove said water by filling up said lot or lots, or parts thereof, or by draining the same, and further to complete the said removal within the further period of three days, if practicable, (of which practicability the Mayor shall be the judge,) and if not practicable, within such time as the Mayor may deem reasonable. And if such owner or occupier shall fail, after notice as aforesaid, to fill up or drain such lot or lots, or parts thereof, within the period which may be assigned therefor, to the satisfaction of the said Commissioner, it shall be the duty of the said Commissioner to proceed forthwith to do the same, in such manner as that it will not retain water on the surface thereof, due regard being always had to the interest of the owner or proprietor of the property; but no lot or lots, or parts thereof, shall be filled up to an elevation greater than the most depressed graduation of the street, avenue, or alley on which the same may front or bind; and the expense thus incurred by the Commissioner shall be paid out of the funds of the Ward. And it shall be the duty of the said Commissioner to make return to the Register of the cost incurred in filling up or draining said lot or lots, or parts thereof, the amount whereof shall be assessed as tax thereon, and shall be placed in the hands of the Collector of taxes, who shall collect the same with interest thereon from the date of the return of the Commissioner, at the rate of ten per centum per annum. But if any lot or lots, or parts thereof, situated as aforesaid, shall belong to a non-resident or non-residents, or to a person or persons of unsound mind or under age, or the title to which shall be in dispute, so that the true owners cannot be satisfactorily ascertained, it shall be the duty of the Commissioner to fill or drain the same as aforesaid, and to make return as aforesaid to the Register; and the Collector, whose duty it shall be to collect the same, shall collect and account for such taxes as other taxes placed in his hands for collection.

Sec. 10. *And be it enacted,* That, whenever there shall be on any lot or lots, or parts thereof, a house or building unoccupied, and in a state of dilapidation or decay, or an uncovered cellar or cellars, and the same being represented to the Commissioner by a citizen, as provided in the ninth section of this act, it shall be his duty to lay the said representation before the Board of Health, if in session, if not, before the President thereof, who shall thereupon convene said Board; and if said Board, or any portion thereof deputed for that purpose, after an examination of the premises complained of, which shall be made

with the least possible delay, shall be of opinion that the same is a nuisance, or is dangerous to the health, or endangers the lives or property of those in the vicinity thereof, they shall make representation accordingly to the Mayor, who shall thereupon direct the Commissioner forthwith to notify in writing the owner or owners, their agents or guardians, to be left at his or her usual or reputed place of residence, if within the city, and if without, then through the medium of the newspapers authorized to publish the laws of this Corporation, of the existence of said nuisance, and to direct the removal thereof within six days from the date of such notice, if practicable. (of which practicability the Mayor shall be the judge,) and if not practicable, then within such time as the Mayor may deem reasonable ; and on the failure of the owner or owners, their agents or guardians, to remove the said nuisance within the time prescribed or allowed, it shall be the duty of the Commissioner, under the direction of the Mayor, forthwith to do the same, due regard being had on all such occasions to the interest of the owners or proprietors of the property. But if the property on which such nuisance shall exist shall belong to persons of unsound mind, as the title therof shall be in dispute, so that the true owner or owners cannot be satisfactorily ascertained, upon the same being declared a nuisance, as is hereinbefore provided, it shall be the duty of the Commissioner, under the direction of the Mayor, forthwith to remove the same, the expense to be paid out of the funds of the ward. And it shall be the duty of the Commissioner of such ward to make return of the expense to the Register, as is directed in the ninth section of this act, which sum shall be assessed and collected as is therein provided.

SEC. 11. And be it enacted, That it shall be the duty of the Ward Commissioners, upon written notice from the Board of Health, or any member thereof, by the authority and in the name of said Board, of the existence of any nuisance within their respective wards, to have the same removed forthwith, and for every failure or neglect so to do the Commissioner so offending shall be subjected to a penalty of ten dollars; and the Board of Health, or either member thereof for the ward in which such nuisance may be, in case of such failure, be, and hereby is authorized to have the said nuisance removed forthwith, the expense of such removal to be paid out of the casual repair fund of the ward.

SEC. 12. And be it enacted, That the said Board shall have power to determine upon and publish, at least once in each year, what constitute nuisances ; and the several commissioners, police constables, and scavengers of this city are required to obey all orders which they may receive in their respective wards from said Board, or either of its members for such ward, in regard thereto.

SEC. 13. And be it enacted, That for every violation of any of the regulations of said Board, where no penalties are provided by this act, every person so offending shall forfeit and pay a sum not exceeding twenty dollars, and for every day any person shall continue to violate

any of said regulations such persons shall forfeit and pay not exceeding a like sum. And all penalties for a violation of any of the provisions of this act shall be sued for and applied as is directed in other cases by the laws of the Corporation.

SEC. 14. *And be it enacted,* That it shall be the duty of each and every Commissioner and Police Constable in their respective wards to inform against and prosecute any and all persons who shall violate any of the provisions of this act, or the regulations of said Board established for the purposes mentioned in this law.

SEC. 15. *And be it enacted,* That the President of the Board of Health is hereby authorized to publish monthly, in the newspapers publishing the laws of this Corporation, a bill of mortality in this city, the expense thereof to be paid out of the general fund.

SEC. 16. *And be it enacted,* That the regular meetings of the Board of Health shall be held on the last Saturdays in February, April, May, June, July, August, September, and October in each year; but the President thereof may, when he deems it necessary, convene special meetings. And in case of failure of any member for three successive meetings to attend, if such member be not prevented by sickness or absence from the city, his office is hereby declared to be vacated, and it shall be the duty of the President of the Board to notify the Mayor thereof, who shall, as soon as practicable, nominate another to fill the vacancy.

SEC. 17. *And be it enacted,* That the compensation to each member of the Board of Health shall be one dollar per diem for each meeting he shall attend, except that member who shall be appointed by said Board the Secretary thereof, who shall be entitled to receive an additional dollar for each of said meetings: *Provided,* The compensation of no member, other than the Secretary, shall exceed twelve dollars per annum, nor that of the Secretary twenty-four dollars per annum.

SEC. 18. *And be it enacted,* That, in enforcing any of the provisions of the foregoing sections, no member of the Board of Health shall be authorized to expend a greater sum than ten dollars, nor shall said Board collectively authorize an expenditure of over fifty dollars for the removal of any nuisance, without the sanction of the two Boards of the City Council; and all expenditures under this section shall be reported to the two Boards of the City Council monthly.

SEC. 19. *And be it enacted,* That the Register of this Corporation be, and he is hereby directed to furnish the Board of Health with two complete copies of all the existing laws of this city, for the use of said Board; also, in like manner, two copies of all laws which may hereafter be published by this Corporation.

SEC. 20. *And be it enacted,* That, for defraying the contingent expenses of the Board of Health, there shall be annually appropriated, out of the general fund, the sum of fifteen dollars.

SEC. 21. *And be it enacted,* That the following acts be, and the same are hereby repealed, together with any other acts or parts of acts conflicting with the provisions of this act, viz: the act approved

the fourteenth of August, eighteen hundred and nineteen, entitled "An act to provide for the appointment of a health officer for the city of Washington;" the act approved July the eleventh, eighteen hundred and twenty, entitled "An act to amend the act concerning nuisances;" the act approved March the thirtieth, eighteen hundred and twenty-two, entitled "An act establishing a Board of Health for the city of Washington;" the act approved May the twenty-second, eighteen hundred and twenty-two, entitled "An act to provide for the removal of nuisances from cellars and domestic enclosures;" the act approved May the twenty-sixth, eighteen hundred and twenty-three, entitled "An act supplemental to the several acts in relation to nuisances;" the act approved September the twenty-seventh, eighteen hundred and twenty-five, entitled "An act supplemental to the act creating a Board of Health;" the act approved June the eighth, eighteen hundred and twenty-six, entitled "An act to authorize the filling up of lots which are below the graduation of the streets adjoining the same, and further to provide for the removal of nuisances within the city of Washington;" the act approved August the seventeenth, eighteen hundred and thirty-two, entitled "An act to empower the Board of Health to enforce its regulations;" the act approved July the twenty-sixth, eighteen hundred and thirty-seven, entitled "An act relating to the Board of Health;" and the act approved October the twenty-sixth, eighteen hundred and thirty-seven, entitled "An act in addition to the several acts in relation to nuisances."

Approved, May 20, 1848.

AN ACT concerning the present Board of Health and enlarging its powers.

Be it enacted by the Board of Aldermen and Board of Common Council of the city of Washington, That the duties of the present Board of Health shall continue until the first day of January next, and until the appointment of a new Board; and the present Board shall have all the powers given by the act entitled "An act relating to the appointing, powers, and duties of the Board of Health," approved May the twentieth, eighteen hundred and forty-eight.

Approved, May 26, 1848.



